UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

PRO SE SCHEDULING NOTIFICATION (NON - AGENCY CASE)

<table>
<tr><td colspan="3">THIS SECTION MUST BE COMPLETED BY APPELLANT</td></tr>
<tr><td rowspan="3">CASE TITLE:
CERIOUS MCCRAY v.
COUNTY OF DUTCHESS et al</td><td>USCA DOCKET NUMBER:
12-5078pr</td><td>APPELLANT:
CERIOUS MCCRAY</td></tr>
<tr><td>DISTRICT:
SOUTHERN DISTRICT OF NEW YORK</td><td>APPELLANT'S ADDRESS:
ELMIRA CORRECTIONAL FACILITY
1879 DAVIS ST. & BANCROFT RD.
PO BOX 500 ELMIRA NY 14902-0500</td></tr>
<tr><td>DISTRICT/AGENCY NUMBER:</td><td>APPELLANT'S PHONE NUMBER:
(607) 734-3901</td></tr>
</table>

Pursuant to Local Rule 31.2(a)(1)(A), I request that my brief and appendix be accepted for filing no later than June 7, 2013 (MM/DD/YYYY). This date is within 91 days of the later of (1) the receipt of the last transcript in my case or (2) when no transcript is ordered, the required filing date of my Form D-P with the Court. [March 8, 2013 was date of Motion to Reinstate Appeal].

I understand that if I fail to return this signed scheduling proposal as stated above, the Court will issue an order setting a 40-day deadline to file my brief. If I fail to file my brief, the case may be dismissed.

I also understand that in the absence of extraordinary circumstances, such as a personal illness or family death, the Court will not grant a motion to extend the time to file a brief. Local Rule 27.1.(f)(1).

[signature]
Signature of Appellant/Petitioner

March 15, 2013
Date

CERIOUS MCCRAY, Pro Se
Print Name

CM

CC

UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

CERIOUS MCCRAY v.

COUNTY OF DUTCHESS et al.,

CERTIFICATE OF SERVICE
Docket Number: 12-507pr
12 5078

I, Cerious McCray, hereby certify under penalty of perjury that on March 15, 2013 C.E., I served a copy of PRO SE SCHEDULING NOTIFICATION (NON-AGENCY CASE) - 1 Page, by

[x] UNited States Mail

on the following parties:

CLAUDE S PLATTON c/o OFFICE OF THE NEW YORK ATTORNEY GENERAL, DEPARTMENT OF LAW, 120 BROADWAY, 25 FLOOR, NEW YORK NY 10271-0332 "ATTORNEYS FOR STATE DEFENDANTS"

DAVID L POSNER c/o McCABE & MACK LLP, 63 WASHINGTON STREET, PO BOX 509, POUGHKEEPSIE, NY 12602-0509 "ATTORNEYS FOR DUTCHESS COUNTY DEFENDANTS"

CLERK'S OFFICE, UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT, DANIEL PATRICK MOYNIHAN UNITED STATES COURTHOUSE, 500 PEARL STREET, ROOM 370, NEW YORK, NY 10007

Executed on: March 15, 2013 C.E.

/s/ Cerious McCray
Cerious McCray, Sui Juris

FOR: CERIOUS MCCRAY, Pro Se

*If different methods of service have been used on different parties, please indicate on a separate page, the type of service used for each respective party.

Certificate of Service Form

ELMIRA CORRECTIONAL FACILITY
P.O. BOX 500
ELMIRA, NEW YORK 14902-0500
FOR:
NAME: CERIOUS MCCRAY DIN: 11A5389

ELMIRA ☆ CORRECTIONAL FACILITY

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